

REMARKS

Claims 1-28, 189 and 190 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

If the Examiner relies on a new ground of rejection or a new reference in rejecting the Claims in the next Office Action, a Final Office Action would not be appropriate since there are no amendments that change the scope of the claims. Under present practice, second or subsequent actions on the merits shall be final, except where the Examiner introduces a new ground of rejection that is not necessitated by Applicant's amendment of the claims. **See MPEP § 706.07(a).**

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 9-11, 23-25 and 189-190 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Duxbury (U.S. Pat. No. 4,760,547) in view of "Atmel Announces 802.11b Media Access Controller (MAC) with Integrated Baseband for Wireless Applications" (hereinafter "Atmel"). This rejection is respectfully traversed.

Claim 1 recites that each of a plurality of sprinkler controllers associated with one of a plurality of sprinklers includes a media access controller adapted to obtain the digital data from the signal, frame the digital data, and filter the digital data to select frames of the digital data that are addressed to the one of the plurality of sprinkler controllers.

A. The combination of Duxbury and Atmel fails to disclose a media access controller adapted to obtain digital data, frame the digital data, and filter the

digital data to select frames of the digital data addressed to the one of the plurality of sprinkler controllers

The Examiner acknowledges that Duxbury fails to disclose media access controller. Instead, the Examiner relies on Atmel to disclose this limitation. Applicant respectfully submits that Atmel fails to make up for the deficiencies of Duxbury.

The Examiner acknowledges that Duxbury fails to disclose this limitation, and instead relies on Atmel to disclose that each of the plurality of sprinkler controllers includes a media access controller. Applicant respectfully submits that Atmel fails to make up for the deficiencies of Duxbury.

For example, Duxbury discloses a controller 2 that receives remotely transmitted control signals via a receiver. A remote transmitter 24 transmits the signals. The remote transmitter 24 transmits the control signals directly to a specific station that includes the controller 2. For example, the transmitter 24 includes keys for selecting a specific controller 2 to communicate with (see Column 4, Lines 1-16). Any control signals are then sent to the selected controller 2. In other words, the controller 2 does not receive digital data, frame digital data, and filter the digital data to select frames of the digital data that are addressed to the controller 2. Instead, any digital signal that the controller 2 receives is inherently intended for the controller 2 because of the selection at the remote transmitter 24.

Accordingly, merely replacing the controller 2 with the MAC of Atmel would not result in a controller that filters received data to select frames addressed to the MAC. The system of Duxbury with or without the MAC of Atmel still includes a remote transmitter that specifically selects a controller 2 to communicate with. Accordingly, the

controller 2 would have no reason to filter the data to select specific frames. In view of the foregoing, Applicant respectfully submits that the combination of Duxbury and Atmel still fails to disclose that each one of the sprinkler controllers includes a MAC that filters digital data to select frames addressed to it.

B. The combination of Duxbury with Atmel is not obvious

Applicant respectfully submits that there is no motivation to combine Duxbury with Atmel. For example, the Examiner alleges that “it would have been obvious to one of ordinary skill in the art...to replace the RF tones of the Duxbury patent with wireless devices as described in the Atmel article because it “has allowed our customers a path to higher performance, lower cost, and lower power consumption...and allow a very small footprint.”

This brief explanation falls far short of the type of **explicit analysis** that is required by the Supreme Court in KSR Int'l v. Teleflex Inc., 127 S.Ct. 1727 (2007). Absent such an express teaching or suggestion in the references, the explicit analysis and reasoning must be supplied by the Examiner. *Id.* In other words, the Examiner is required to provide explicit reasoning as to why one skilled in the art would be motivated to replace the controllers of Duxbury, which receive point to point signals, with the MACs of Atmel.

Applicant respectfully notes Atmel merely discloses a media access controller for wireless LANs that is described as an improvement over existing media access and/or baseband controllers in LANs. For example, the portion of Atmel that the Examiner relies on specifies that “this is very important when doing designs like compact flash cards, mini-PCI cards and especially WLAN modules,” and further identifies applications

such as printers, PDA's, and calculator. Atmel is absent of any teaching or suggestion of replacing point to point RF controllers (i.e. non WLAN controllers) in a sprinkler system with a plurality of media access controllers.

Further, Applicant respectfully notes that the stated improvements of "lower cost, lower power consumption, and...a very small footprint" are simply broad generalizations and would not be applicable as a replacement to the system of Duxbury. Duxbury discloses a controller that receives only RF signals intended for that particular controller. It is unclear how replacing this controller with a wireless media access controller, receiver, and processor in each sprinkler would result in lower cost and power consumption and improve the footprint. Here again, Atmel's stated improvements appear to be relative to other media access controllers, and the Examiner fails to provide support for a relationship between these stated improvements and the controller 2 of Duxbury.

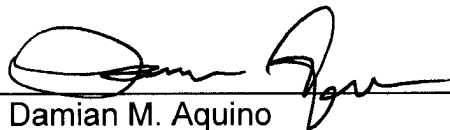
In view of the foregoing, Applicant respectfully submits that claim 1, as well as its dependent claims, should be allowable for at least the above reasons. Claim 15, as well as its corresponding dependent claims, should be allowable for at least similar reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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